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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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10/775,356

02/10/2004

Jian Wang

03-40084-US

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7590

03/22/2006

REED SMITH, LLP

ATTN: PATENT RECORDS DEPARTMENT

599 LEXINGTON AVENUE, 29TH FLOOR

NEW YORK, NY 10022-7650

EXAMINER

FINEMAN, LEE A

ART UNIT

PAPER NUMBER

2872

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| ART UNIT | PAPER |
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20060317

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed on 10 January 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s) (See 37 CFR 1.111 and MPEP § 809.02):

In the reply, applicant states that claims 1-51 are directed to the elected species I (fig. 1) and claims 52-55 are not. However, a cursory review of the claims reveals examples like claim 26 which includes limitation "a dielectric layer positioned substantially about the device" which is present only in non-elected species II (fig. 4) and claim 43 which includes "at least one anti-reflection coating" and "an intermediate dielectric layer" which are present only in non-elected species III (figs. 5 and 6).

Applicant is requested to submit a proper election with a listing of all claims readable thereon. Further, if the applicant believes the examiner has erred with the examples above, the applicant is requested to provide an explanation as to how these claims are readable upon the elected species.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Lee Fineman  
Patent Examiner  
571-272-2313

**DREW A. DUNN**  
**SUPERVISORY PATENT EXAMINER**